

REMARKS

The Official Action dated May 19, 2005, has been carefully reviewed and the foregoing amendment has been made in response thereto. Prior to entry of the foregoing amendment claims 1-5, 7-10, 13, 15-18 and 20-24 were active in the present application. Claims 1-5 and 7-12 stand rejected under 35 U.S.C. §101 for failing to recite a limitation in the technological arts. Claims 1-5, 7-10, 13, 15-18 and 20-24 stand rejected under 35 U.S.C. §102(e) as being unpatentable over Gardenswartz et al. (U.S. Patent No. 6,298,330).

Rejection of claims 1-5 and 7-10 under 35 U.S.C. §101

Claims 1, 3, 4, 5, 8, 9 and 10 have been amended to address the rejection of claims 1-5 and 7-10 under 35 U.S.C. §101 have been overcome by the amendments to independent claims 1 and 8. It is believed that each one of claims 1-5 and 7-10 now recites an invention within the technical arts.

Rejection of claims 1-5, 7-10, 13, 15-18 and 20-24 under 35 U.S.C. §102(e)

The present invention, as recited in amended method claim 1, includes the steps of (1) storing historical interaction data between a consumer and a business in a computerized, network accessible historical interaction database, the historical interaction data regarding previous interactions between the business and the consumer; (2) receiving a communication from the consumer during a current interaction between the business and the consumer through a device to identify interaction data associated with a previous interaction between the business and the consumer which is relevant to said current interaction; and (3) accessing said historical interaction database in accordance with the received communication to obtain said identified interaction data thereby providing a context for the current interaction between the business and the consumer.

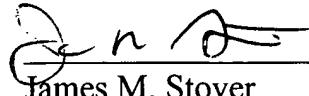
It is significant to note that the communication received from the consumer functions to identify interaction data associated with a previous interaction between the business and the consumer *which is relevant to said current interaction* and thereby *provides a context for the current interaction*.

The system described in Gardenswartz et al. provides advertisements to an on-line consumer, however, these advertisements are not provided to the consumer to provide context to a current customer interaction. The present Office Action refers to Garderswartz as teaching stored purchase history information including a customer's credit card number, social security account number, driver's license number, loyalty card number, name, address and telephone number. However, this payment and identity information does not provide context to a current customer interaction, as required in each claim of the present application.

It should also be noted that the invention recited in each claim remaining of the present application includes limitations relating a current interaction between a business and a consumer to a prior interaction between the same business and same consumer to provide context to the current interaction. It is not seen that the offline purchase history of a consumer; targeted advertisements provided to the consumer; or access to a customer's credit card number, social security account number, driver's license number, loyalty card number, name, address and telephone number disclosed in Gardenswartz et al. associate a particular business with the consumer or provide context to a current interaction with the consumer.

In view of the foregoing amendments and remarks, it is believed that the present application, including claims 1-5, 7-10, 13, 15-18 and 20-24, as amended, is in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'J M Stover', is written over a horizontal line.

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